IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 7078 of 2007(P)

PETITIONER:

K.M. BABU, AGED 52 YEARS,
S/O.K.K.MOHANAN,KAVUMKAL HOUSE,EDAVANAKKAD VILLAGE
KOCHI TALUK (PART TIME ADMINISTRATOR, HMT MACHINE
TOOLS STAFF & WORKERS CREDIT CO-OP.SOCIETY LTD.
NO.E-302, HMT COLONY POST, KALAMASSERY.

BY ADV. SRI.ESM.KABEER

RESPONDENTS:

1. THE CONSUMER DISPUTES REDRESSAL FORUM,
   ERNAKULAM, REP. BY ITS PRESIDENT, DISTRICT FORUM,
   ERNAKULAM.

2. R.V. NARAYANAN NAIR,
   SIVASAKTHI, MAHAKAVI G.ROAD, KOCHI-11.

3. LATHIKA K.P.,
   SIVASAKTHI, MAHAKAVI G.ROAD, KOCHI-11.

4. THE DEPUTY TAHSILDAR (REVENUE RECOVERY),
   KANAYANNUR TALUK, ERNAKULAM.

5. THE JOINT REGISTRAR OF CO-OPERATIVE
   SOCIETIES, ERNAKULAM.

G.P. SHRI.P.N.SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.7078 of 2007

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Dated this the 2nd day of March, 2007

J U D G M E N T

In this writ petition the petitioner is challenging Ext.P3 order passed by the Consumer Disputes Redressal Forum, Ernakulam in C.C.Nos.171/2006 and 172/2006 filed by respondents 2 and 3 for directing to the petitioner society to repay the amounts due in respect of the fixed deposits made by the said respondents in the society. The petitioner is also challenging Exts.P4, P4(a), P5 and P5(a), which are the revenue recovery proceedings for realisation of the amounts as directed in Ext.P3. The contention of the petitioner is that in view of Section 69 of the Kerala Co-operative Societies Act, the Consumer Disputes Redressal Forum does not have jurisdiction to entertain the claims against the petitioner society. Now that the Consumer Disputes Redressal

Forum has passed an order, it is for the petitioner to take all his contentions available to him before the State Consumer Disputes Redressal Commission in an appeal as provided under the Consumer Protection Act. Therefore, without prejudice to the right of the petitioner to take up the matter in appeal before the State Commission, this writ petition is dismissed.

sdk+ S.SIRI JAGAN, JUDGE